

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
JEFFERSON CITY DIVISION**

SEMCO, LLC,  
a Missouri Limited Liability Company,  
  
Plaintiff,  
  
v.  
  
HUNTAIR, INC.,  
a Delaware corporation,  
  
Defendant.

## JURY TRIAL DEMANDED

Case No.: 11-4026-CV-C-FJG

## PLAINTIFF'S EXHIBIT INDEX FOR MARKMAN HEARING

<p>[] = offered &amp; admitted w/o objection          Ex = offered, but not objected to and excluded          DB = admitted, de bene</p>	<p>Ltd = admitted for limited purposes          X = offered &amp; admitted over objection          NO = marked, but not offered          WD = offered then withdrawn</p>
--	--

Exhibit No.	Description	Objections	Category A,B,C	Offered	Action Taken
1	Fischer U.S. Pat. No. 6,199,388 B1 (d/e 53-1)				
2	File history of Fischer U.S. Pat. No. 6,199,388 B1 (d/e 53-4)				
3	Fischer U.S. Pat. No. 4,769,053				
4	U.S. Pat. No. 4,582,129 to Yano et al.				
5	U.S. Pat. No. 4,484,938 to Okamoto et al.				
6	Declaration of John Fischer (d/e 64-2)				
7	Claim Illustration Chart (d/e 64-1)				
8	Claim Differentiation Chart				

Exhibit No.	Description	Objections	Category A,B,C	Offered	Action Taken
9	Illustration of Fig. 3C of Pat. No. 6,199,388 B1				
10	Diagram of Huntair system, such as for (d/e 53-3) with additional illustrations.				
11	Technical Paper entitled <i>Pinnacle Ventilation System Integrates Total Energy Recovery, Conventional Cooling and a Novel "Passive" Dehumidification Wheel to Mitigate the Energy, Humidity Control and First Cost Concerns Often Raised when Designing for ASHRAE Standard 60-1999 Compliance</i> by John C. Fischer, Jr., 2000				
12	Letter from Oakridge National Laboratory to John Fischer, 2/15/11 re selection to Committee to develop a "Roadmap" for Advanced HVAC Technologies				
13	U.S. Department of Energy Publication Entitled <i>Causes of Indoor Air Quality Problems in Schools</i> , May 2000, Co-Author by John C. Fischer, Jr.				
14	<i>Active Humidity Control and Continuous Ventilation for Improved Air Quality in Schools</i> , 2001, Distributed at ASHRAE Conferences, Co-Author by John C. Fischer, Jr.				
15	Physical Exhibit and photographs—SEMCO total energy recovery wheel				
16	Physical Exhibit and photographs—Corrugated sheets used for SEMCO total energy recovery wheel				

<b>Exhibit No.</b>	<b>Description</b>	<b>Objections</b>	<b>Category A,B,C</b>	<b>Offered</b>	<b>Action Taken</b>
17	Illustration of Pinnacle Unit covered by U.S. Pat. No. 6,199,388 B1				
18	Video of operation of system and method of U.S. Pat. No. 6,199,388 B1				
19	CV of John C. Fischer, Jr.				
20	Pinnacle Technical Guide				

Respectfully Submitted,

POLSTER, LIEDER, WOODRUFF &  
LUCCHESI, L.C.

By: s/ McPherson D. Moore  
 McPherson D. Moore, # 26,056MO  
 William B. Cunningham, #20,998MO- of counsel  
 Douglas D. Churovich, #47,736MO- of counsel  
 12412 Powerscourt Drive, Suite 200  
 St. Louis, Missouri 63131-3615  
 PHONE: (314) 238-2400  
 FAX: (314) 238-2401

***ATTORNEYS FOR PLAINTIFF***

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was filed on October 14, 2011, with the Court via CM/ECF system thereby effectuating service via electronic means upon the following:

Mark M. Iba MO #45452  
STINSON MORRISON HECKER LLP  
1201 Walnut Street, Suite 2900  
Kansas City, MO 64106  
Telephone: (816) 842-8600  
Facsimile: (816) 691-3495  
miba@stinson.com

Richard T. McCaulley, Jr.  
Ropes & Gray LLP  
111 South Wacker Drive, 46<sup>th</sup> Floor  
Chicago, IL 60606  
(312) 845-1200  
Richard.McCaulley@ropesgray.com

***ATTORNEYS FOR DEFENDANT***  
*Huntair, Inc.*

/s/ McPherson D. Moore  
Attorney for Plaintiff  
Polster, Lieder, Woodruff & Lucchesi  
12412 Powerscourt Drive, Suite 200  
St. Louis, Missouri 63131-3615  
(314) 238-2400 (phone)